

## **IC 3-14-2**

### **Chapter 2. Vote Fraud**

#### **IC 3-14-2-1**

##### **Fraudulent acknowledgment of voter on affidavit of registration**

Sec. 1. A person who recklessly writes the name of a voter on an affidavit of registration without being personally acquainted with the voter and knowing the voter to be the person who the voter represents the voter to be commits a Class A misdemeanor.

*As added by P.L.5-1986, SEC.10.*

#### **IC 3-14-2-2**

##### **Fraudulent application for registration or procurement of registration**

Sec. 2. A person who, knowing the person is not a voter and will not be a voter at the next election, applies for registration or procures registration as a voter commits a Class A misdemeanor.

*As added by P.L.5-1986, SEC.10.*

#### **IC 3-14-2-3**

##### **Fraudulent subscription of another person's name to affidavit of registration**

Sec. 3. A person who:

- (1) subscribes the name of another person to an affidavit of registration knowing that the application contains a false statement; or
- (2) subscribes the name of another person to an affidavit of registration without writing on it the person's own name and address as an attesting witness;

commits a Class A misdemeanor.

*As added by P.L.5-1986, SEC.10.*

#### **IC 3-14-2-4**

##### **Registering to vote more than once**

Sec. 4. A person who recklessly registers or offers to register to vote more than once commits a Class A misdemeanor.

*As added by P.L.5-1986, SEC.10.*

#### **IC 3-14-2-5**

##### **Destruction or failure to file or deliver registration affidavit or form after execution**

Sec. 5. A person who recklessly destroys or fails to file or deliver to the proper officer a registration affidavit or form of registration after it has been executed commits a Class A misdemeanor.

*As added by P.L.5-1986, SEC.10.*

#### **IC 3-14-2-6**

##### **Unauthorized release or removal of registration materials from circuit court office**

Sec. 6. A person who releases or removes any registration materials

from the office of the circuit court clerk or board of registration, except when release or removal is necessary:

- (1) to comply with IC 3-7; or
- (2) for the destruction of the materials under IC 5-15-6;

commits a Class A misdemeanor.

*As added by P.L.5-1986, SEC.10. Amended by P.L.12-1995, SEC.87; P.L.4-1996, SEC.87.*

### **IC 3-14-2-7**

#### **Withholding information or furnishing false information to poll taker; return of false names or names of deceased persons**

Sec. 7. A person who knowingly:

- (1) upon the demand of a poll taker, withholds any information from the poll taker with regard to the qualifications of a voter or person not entitled to vote;
- (2) furnishes to a poll taker any false information with regard to the qualifications of any person for voting; or
- (3) returns to the poll taker as voters any false names or the names of any persons who are dead or are not voters;

commits a Class A misdemeanor.

*As added by P.L.5-1986, SEC.10.*

### **IC 3-14-2-8**

#### **Return of ineligible person, fictitious or deceased's names by poll taker**

Sec. 8. A poll taker who knowingly returns:

- (1) the name of a person who is not entitled to vote in the precinct for which the poll is taken at the next election;
- (2) a fictitious name; or
- (3) the name of a dead person;

commits a Class A misdemeanor.

*As added by P.L.5-1986, SEC.10.*

### **IC 3-14-2-9**

#### **Unregistered or unauthorized voting**

Sec. 9. A person who knowingly votes or offers to vote at an election when the person is not registered or authorized to vote commits a Class D felony.

*As added by P.L.5-1986, SEC.10.*

### **IC 3-14-2-10**

#### **Voting by ineligible persons**

Sec. 10. A person who recklessly votes at an election, unless the person is a registered voter under the requirements of IC 3-7 at the time of the election, commits a Class A misdemeanor.

*As added by P.L.5-1986, SEC.10.*

### **IC 3-14-2-11**

#### **Voting in other precincts**

Sec. 11. Except as provided by IC 3-10-10, IC 3-10-11, or

IC 3-10-12, a person who knowingly votes or offers to vote in a precinct except the one in which the person is registered and resides commits a Class D felony.

*As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.466; P.L.10-1988, SEC.208; P.L.17-1993, SEC.17; P.L.12-1995, SEC.88.*

### **IC 3-14-2-12**

#### **Voting or applying to vote in false name and own name**

Sec. 12. A person who:

(1) knowingly votes or makes application to vote in an election in a name other than the person's own; or

(2) having voted once at an election, knowingly applies to vote at the same election in the person's own name or any other name;

commits a Class D felony.

*As added by P.L.5-1986, SEC.10.*

### **IC 3-14-2-13**

#### **Hiring or soliciting another person from outside state or to go from one precinct to another**

Sec. 13. A person who knowingly hires or solicits another person:

(1) to come into Indiana; or

(2) to go from one precinct into another precinct;

for the purpose of voting at an election when the person hired or solicited is not a voter in Indiana or the precinct commits a Class D felony.

*As added by P.L.5-1986, SEC.10.*

### **IC 3-14-2-14**

#### **Precinct officer or public official allowing ineligible voters or unauthorized procedure**

Sec. 14. A precinct election officer or public official upon whom a duty is imposed by this title who knowingly:

(1) allows a person to vote who is not entitled to vote; or

(2) allows a person to vote by use of an unauthorized procedure;

commits a Class D felony.

*As added by P.L.5-1986, SEC.10.*

### **IC 3-14-2-15**

#### **Unauthorized delivery of ballots**

Sec. 15. A member of the commission, an employee of the commission, or a member of a county election board who knowingly delivers a ballot to a person except in the manner prescribed by this title commits a Class D felony.

*As added by P.L.5-1986, SEC.10. Amended by P.L.8-1995, SEC.65.*

### **IC 3-14-2-16**

#### **Ballots; fraudulent application, showing, examination, receipt, or delivery**

Sec. 16. A person who knowingly does any of the following commits a Class D felony:

- (1) Applies for or receives a ballot in a precinct other than that precinct in which the person is entitled to vote.
- (2) Except when receiving assistance under IC 3-11-9, shows a ballot after it is marked to another person in such a way as to reveal the contents of it or the name of a candidate for whom the person has voted.
- (3) Except when offering assistance requested by a voter in accordance with IC 3-11-9, examines a ballot that a voter has prepared for voting or solicits the voter to show the ballot.
- (4) Receives from a voter a ballot prepared by the voter for voting, except:
  - (A) the inspector;
  - (B) a member of the precinct election board temporarily acting for the inspector;
  - (C) a member of a county election board or an absentee voter board acting under IC 3-11-10; or
  - (D) a member of the voter's household or an individual designated as attorney in fact for the voter, when delivering an envelope containing an absentee ballot under IC 3-11-10-1.
- (5) Receives a ballot from a person other than one of the poll clerks or authorized assistant poll clerks.
- (6) Delivers a ballot to a voter to be voted, unless the person is:
  - (A) a poll clerk or authorized assistant poll clerk; or
  - (B) a member of a county election board or an absentee voter board acting under IC 3-11-10.
- (7) Delivers a ballot (other than an absentee ballot) to an inspector that is not the ballot the voter receives from the poll clerk or assistant poll clerk.
- (8) Delivers an absentee ballot to a team of absentee ballot counters appointed under IC 3-11.5-4-22, a county election board, a circuit court clerk, or an absentee voting board under IC 3-11-10 that is not the ballot cast by the absentee voter.

*As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.467; P.L.5-1989, SEC.73; P.L.3-1993, SEC.232; P.L.19-1993, SEC.3; P.L.4-1996, SEC.88; P.L.38-1999, SEC.70.*

### **IC 3-14-2-17**

#### **Marking ballot to indicate to another person how voter has voted**

Sec. 17. A voter at an election who knowingly writes or places on a ballot a name, sign, or device as a distinguishing mark by which to indicate to any other person how the voter has voted commits a Class D felony.

*As added by P.L.5-1986, SEC.10.*

### **IC 3-14-2-18**

#### **Disclosure of voter's vote on voting machine to another**

Sec. 18. A voter who knowingly:

- (1) does anything to enable any other person to see or know for what ticket, candidates, or public questions the voter has voted on a voting machine; or
- (2) moves into a position, or does any other thing, to enable the

voter to see or know for what ticket, candidates, or public questions any other voter votes on a voting machine; commits a Class D felony.  
*As added by P.L.5-1986, SEC.10. Amended by P.L.10-1988, SEC.209.*

### **IC 3-14-2-19**

#### **Forgery of official ballot endorsement; printing or circulating imitation ballot**

Sec. 19. A person who knowingly:  
    (1) forges or falsely makes the official endorsement of a ballot; or  
    (2) prints or circulates an imitation ballot;  
commits a Class D felony.  
*As added by P.L.5-1986, SEC.10.*

### **IC 3-14-2-20**

#### **Deceptive registration of vote**

Sec. 20. A person who knowingly:  
    (1) deceives a voter in registering the voter's vote under IC 3-11-8; or  
    (2) registers a voter's vote in a way other than as requested by the voter;  
commits a Class D felony.  
*As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.468.*

### **IC 3-14-2-21**

#### **Fraudulent inducement to vote other than as intended**

Sec. 21. A person who fraudulently causes a voter at an election to vote for a person different from the one the voter intended to vote for or on a public question different from the vote the voter intended to cast commits a Class D felony.  
*As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.469; P.L.10-1988, SEC.210.*

### **IC 3-14-2-22**

#### **False representation of ballot to non-English speaking voter**

Sec. 22. A person who knowingly furnishes a voter who cannot read the English language with a ballot at an election that the person represents to the voter as containing a name different from the one printed or written on it commits a Class D felony.  
*As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.470.*

### **IC 3-14-2-23**

#### **Opening, destruction, or unauthorized delivery of ballots by custodian of ballots**

Sec. 23. A person entrusted with the custody of ballots who knowingly:  
    (1) opens a package in which the ballots are contained;  
    (2) destroys a ballot; or  
    (3) delivers such a package or ballot to a person not entitled to receive it;

commits a Class D felony.  
*As added by P.L.5-1986, SEC.10.*

### **IC 3-14-2-24**

#### **Removal or destruction of ballots; false entries in poll book; false tallying**

Sec. 24. A person who:

- (1) takes a ballot legally deposited out of a ballot box for the purpose of destroying it or substituting another in its place;
- (2) destroys or misplaces a ballot with the intent to substitute another ballot for it or with the intent to prevent it from being counted; or
- (3) knowingly enters upon the poll books the name of a person who has not legally voted or knowingly tallies a vote for a candidate or on a public question not voted for by the ballot;

commits a Class D felony.  
*As added by P.L.5-1986, SEC.10. Amended by P.L.10-1988, SEC.211.*

### **IC 3-14-2-25**

#### **Marking or defacing ballots by precinct election board member or authorized election personnel**

Sec. 25. A member of a precinct election board or county election board, a person employed at the central counting headquarters, or a person charged with a duty in connection with an election or entrusted with the custody or control of a ballot either before or after voting who marks or defaces a ballot for the purpose of:

- (1) identifying the ballot (except by numbering protested ballots for future reference as provided by law); or
- (2) vitiating the ballot;

commits a Class D felony.  
*As added by P.L.5-1986, SEC.10.*

### **IC 3-14-2-26**

#### **Tampering with ballot container or contents**

Sec. 26. A person who:

- (1) during the progress of an election or within the time for preparation required under this title, knowingly breaks open or violates the seal or lock of a ballot box, envelope, container, or bag in which ballots have been deposited;
- (2) knowingly obtains a ballot box, envelope, container, or bag that contains ballots and cancels, withholds, or destroys a ballot;
- (3) knowingly increases or decreases the number of ballots legally deposited in a ballot box, envelope, container, or bag; or
- (4) knowingly makes a fraudulent erasure or alteration on a tally sheet, poll book, list of voters, or election return deposited in a ballot box, envelope, or bag;

commits a Class D felony.  
*As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.471.*

### **IC 3-14-2-27a**

**Fraudulent recording of voting machine registration; false statement, certificate, or return of vote**

*Note: This version of section effective until 1-1-2003. See also following version of this section, effective 1-1-2003.*

Sec. 27. A precinct election officer who, at the close of the polls, or an absentee ballot counter acting under IC 3-11.5-5 or IC 3-11.5-6, who knowingly:

- (1) causes the vote to be incorrectly taken down for a candidate or public question; or
- (2) makes a false statement, certificate, or return of any kind of that vote;

commits a Class D felony.

*As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.472; P.L.3-1993, SEC.233; P.L.19-1993, SEC.4.*

**IC 3-14-2-27b**

**Fraudulent recording of votes; false statement, certificate, or return of vote**

*Note: This version of section effective 1-1-2003. See also preceding version of this section, effective until 1-1-2003.*

Sec. 27. A precinct election officer at the close of the polls, an absentee ballot counter acting under IC 3-11.5-5 or IC 3-11.5-6, or a provisional ballot counter acting under IC 3-11.7-5 who knowingly:

- (1) causes the vote to be incorrectly taken down for a candidate or public question; or
- (2) makes a false statement, certificate, or return of any kind of that vote;

commits a Class D felony.

*As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.472; P.L.3-1993, SEC.233; P.L.19-1993, SEC.4; P.L.126-2002, SEC.89.*

**IC 3-14-2-28**

**Fraudulent alteration of election return; intentional destruction of poll book or tally; fraudulent alteration of vote as returned**

Sec. 28. A person who:

- (1) with intent to defraud, alters an election return;
- (2) knowingly destroys, misplaces, or loses a poll book or tally sheet; or
- (3) with intent to defraud, alters the vote of a candidate or on a public question as returned by the county election board or its employees;

commits a Class D felony.

*As added by P.L.5-1986, SEC.10. Amended by P.L.10-1988, SEC.212.*

**IC 3-14-2-29**

**Inspecting voting equipment without authorization**

Sec. 29. A person who knowingly inspects a voting machine or electronic voting system under IC 3-12-4-18 without obtaining authorization from the state recount commission to conduct the inspection commits a Class D felony.

*As added by P.L.3-1987, SEC.473.*

**IC 3-14-2-30**

**Violations**

Sec. 30. A person who knowingly votes at a town convention in violation of IC 3-8-5-11(c) commits a Class A misdemeanor.

*As added by P.L.167-2001, SEC.9.*